

TITLE 4: BUSINESS AND SPECIAL LICENSES, REGULATIONS

DIVISION 5: PERMIT REGULATIONS FOR EXPLOSIVES.

Chapter 1: DEFINITIONS.

Section:

45.011

45.011 For the purposes of this Division the following terms shall bear the connotations set forth below:

(a) "Authorized representative" shall mean a representative or agent or an association or organization, who will act for such entity in being in charge of, and responsible for, explosives. Such an authorized representative will share liability jointly with such entity for all actions or instances proximately related to the explosives.

(b) "Employee" shall mean an employee of a corporation who will act for the corporation in being in charge of, and responsible for, explosives. Such an employee will share liability jointly with such a corporation for all actions or instances proximately related to the explosives.

(c) "Explosive" shall mean any substance, or combination of substances the primary or common purpose of which is detonation or rapid combustion and which is capable of a relatively instantaneous or rapid release of gas and heat, or any substance, the primary purpose of which, when combined with any other substance, is to form a substance capable of a relatively instantaneous or rapid release of gas and heat. The term "explosives" shall include, but shall not necessarily be limited to, any of the following:

(1) Dynamite, nitroglycerin, picric acid, lead azide, fulminate of mercury, black powder, smokeless powder, propellant *explosives*, *detonating* primers, blasting caps, and or commercial boosters;

(2) Substances determined to be Class "A" and Class "B" explosives as classified by the United States Department of Transportation;

(3) Nitro carbo nitrate substances (blasting agent) as classified by the United States Department of Transportation;

(4) Any material designated as an explosive by the State Fire Marshal. Such designation shall be made pursuant to the classification standards established by the United States Department of Transportation. The State Fire Marshal shall adopt regulations in accordance with the provisions of Chapter 4.5 (commencing with Section 11371), Part I, Division 3, Title 2 of the Government Code of the State of California to establish procedures for the classification and designation of explosive materials or explosive devices that are not under the jurisdiction of the United States Department of Transportation;

(5) Certain Class "C" explosives as designated by the United States Department of Transportation when listed in regulations adopted by the State Fire Marshal.

For the purposes of this part, the term "explosives" shall not include any destructive device, as defined in Section 12301 of the Penal Code, nor shall it include ammunition or small arms primers manufactured for use in shotguns, rifles, or pistols.

(d) "Issuing authority" shall mean the Sheriff of San Bernardino County, his deputies or agents;

(e) "Magazine" shall mean any building, structure, or container, other than an explosives manufacturing building, authorized for the storage of explosives;

(f) "Permit" shall mean a permit issued pursuant to the provisions of this Division.

(g) "Person" shall mean any individual, organization, firm, corporation or association.

Amended Ordinance #1604 (1970);